

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

LISTING OF CLAIMS:

1. - 24. (Canceled)

25. (Currently Amended) A ballpoint pen using a water-based ink composition comprising at least a colorant, water and 0.1 to 30 % by weight of a ~~nonionic high molecular surfactant having an alkylene oxide chain as a hydrophilic group and~~ N-polyoxyalkylenepolyalkylenepolyamine having an average molecular weight of ~~3000 to 200,000~~ 20,000 to 80,000 and having an HLB of 8 or more or a cloud point of 50°C or higher.

26. - 30. (Canceled)

31. (New) The ballpoint pen as described in claim 25, wherein N-polyoxyalkylenepolyalkylamine has an average molecular weight of 50000 to 80000.

32. (New) The ballpoint pen as described in claim 25, wherein the ink composition contains a non-Newtonian viscosity-providing agent and has a viscosity of 100 to 4000 mPa·s at a shear speed of 3.84s⁻¹.

33. (New) The ballpoint pen as described in claim 31, wherein the ink composition contains a non-Newtonian viscosity-providing agent and has a viscosity of 100 to 4000 mPa·s at a shear speed of 3.84s^{-1} .

34. (New) A ballpoint pen using a water-based ink composition which comprises at least a colorant, water and 0.1 to 30 % by weight of N-polyoxyethylenepolyoxypropylene block polymer having an average molecular weight of 3000 to 200000 and having an HLB of 8 or more or a cloud point of 50°C or higher and which contains a non-Newtonian viscosity-providing agent and has a viscosity of 100 to 4000 mPa·s at a shear speed of 3.84s^{-1} .